

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 02-00060 WHA

Plaintiff,

v.

ORDER RE PROPOSED TEST

DAMIEN A. NINO,

Defendant.

The Court has received Ms. James request that Damien A. Nino, sentenced to 57 months of custody for possession of child pornography, be required to submit to a penile plethysmograph test as part of his sex-offender treatment. Mr. Robert Waggener, defense counsel, requests a hearing. To assist the Court, Ms. James should file a declaration by Dr. Andrea Shelley as to the efficacy of the penile plethysmograph test and the proposed manner of application to Mr. Nino. This shall be due February 3, 2006, by noon. Mr. Waggener must file any objections by February 7 at noon. A hearing shall be at 1:30 p.m., February 9.

IT IS SO ORDERED.

Dated: January 27, 2006



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE